



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,511	01/08/2007	Toshio Doi	3749-0124PUS1	8941
2392	7590	12/06/2010	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			KEMMERER, ELIZABETH	
PO BOX 747			ART UNIT	PAPER NUMBER
FALLS CHURCH, VA 22040-0747			1646	
			NOTIFICATION DATE	DELIVERY MODE
			12/06/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailto:mailroom@bskb.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

December 2, 2010

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of : DECISION ON PETITION
Toshio Doi; et al :
Application No. 10571511 :
Filed: 03/10/2006 :
Attorney Docket No. 3749-0124PUS1 :

This is a decision on the Petition to Accept Color Drawings under 37 C.F.R 1.84 (a) (2), received in the United States Patent and Trademark Office (USPTO) March 10, 2006.

The petition is DISMISSED.

A grantable petition under 37 C.F.R. 1.84(a) (2) must be accompanied by the following.

1. The fee set forth under 37 C.F.R. 1.17(h),
2. Three (3) sets of the color drawings in question, (One (1) set for EFW filings, and
3. The specification containing the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings

"The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee."

The petition did not meet the following requirement(s). 1 2 * 3

* The three sets of color drawings contained non-English language as noted in the attached Identification of Drawing Deficiencies.

A renewed petition filed under 37 C.F.R. 1.84 (a) (2) must be filed within TWO (2) MONTHS of this decision. If a renewed petition is not filed within the TWO (2) Months of this decision the drawings will be printed in black and white.

Telephone inquiries relating to this decision may be directed to the undersigned in the Office of Data Management at 571-272-4200.

/Kimberly Terrell/
Manager
Office of Data Management
Publications Branch

Application No. 10571511 Drawings filed 03/10/06

IDENTIFICATION OF DRAWING DEFICIENCIES

- There is a hole or the image thereof within the illustration. FIG(s)_____
- The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s)_____
- An ink stamp or the image thereof obscures part of the illustration. FIG(s)_____
- The drawing is marred by black smudges, obliterations, or fax/copier marks (for example, speckles or dots in a substantial portion of the drawing). FIG(s)_____
- Figure numbers are duplicated or missing. FIG(s)_____
- Drawing sheet or figure is missing. FIG(s)_____
- Numbers, letters, or reference characters in the drawing have been crossed out or are illegibly handwritten. FIG(s)_____
- The character of the lines, numbers, and letters is poor. FIG(s)_____
- The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration.
- The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s)_____
- Data, a reference number, or part of the drawing is truncated or missing, or a lead line has no reference number. FIG(s)_____
- The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.84(u)(1). FIG(s)_____
- The drawing and/or the FIG. label contain(s) foreign language. All Figure Labels AND foreign language in Figures 5, 6, 8, 16, 17, 18, and 19.
- A petition under 37 CFR 1.84(a)(2) to accept color drawings has been granted, but the brief description of the drawings in the specification does not contain (or has not been amended to contain) the paragraph required by 37 CFR 1.84(a)(2)(iv).
- OTHER:
- COMMENTS:

Fax

To: Linda Parker **From:** Kimberly Terrell

Fax: 703-205-8050 **Pages:** 21 including cover

Phone: **Date:** 12/2/10

Re: 10571511 - drawings **CC:** n/a

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Ms. Parker,

The scanner is not functioning properly, so I am sending the attached via fax.

Please note that I have included figure 5 now as well as I just noticed it also contains foreign language.

Attached is a black and white version of the color drawings in this application. I will be sending you a petition decision dismissing the petition to accept color drawings. You will have two months to send in a renewed petition with corrected color drawings. If you choose not to respond, the patent will issue with the black and white drawings. If you determine prior to the 2 month period that you prefer the black and white drawings, you may respond to communicate that in writing.

If you have any further questions, please feel free to contact me at 703-756-1568.